

FORM PTO-1390 (Modified) (REV. 07-2004)      U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER <b>255442US6PCT</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/509332</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/FR03/01509</b>	INTERNATIONAL FILING DATE <b>20 May 2003</b>	PRIORITY DATE CLAIMED <b>24 May 2002</b>	
<b>TITLE OF INVENTION</b> <b>DEVICE FOR CLOSING AN OPENING, PARTICULARLY A STREET MANHOLE</b>			
<b>APPLICANT(S) FOR DO/EO/US</b> <b>Jean-Claude HAUER, et al.</b>			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p><b>Items 13 to 23 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Express Mail Label No.</li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol> <p style="text-align: center;"><b>Application Data Sheet/Notice of Priority/Drawings (6 Sheets)/PTO-1449/Cited References (2)</b></p>			

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/509332</b>	INTERNATIONAL APPLICATION NO. <b>PCT/FR03/01509</b>	ATTORNEY'S DOCKET NUMBER <b>255442US6PCT</b>
24. The following fees are submitted:		<b>CALCULATIONS PTO USE ONLY</b>
<b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</b>		
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1110.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$790.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$750.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>\$950.00</b>
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30 <b>\$0.00</b>
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	15 - 20 =	0
Independent claims	1 - 3 =	0
Multiple Dependent Claims (check if applicable).		<input type="checkbox"/>
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$950.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		<b>\$0.00</b>
<b>SUBTOTAL =</b>		<b>\$950.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30    + <b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>		<b>\$950.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).		<input type="checkbox"/>
<b>TOTAL FEES ENCLOSED =</b>		<b>\$950.00</b>
		<b>Amount to be: refunded</b> \$
		<b>charged</b> \$
a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0030</u> d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.		
SEND ALL CORRESPONDENCE TO:		
<b>Surinder Sachar</b> Registration No. 34,423		
 SIGNATURE		
<b>Gregory J. Maier</b> NAME		
<b>25,599</b> REGISTRATION NUMBER		
Oct. 7 2004 DATE		
CUSTOMER NUMBER <b>22850</b>		

10/509332  
DT04 Rec'd PCT/PTO 07 OCT 2004

Docket No. 255442US6PCY

**IN RE APPLICATION OF: Jean-Claude HAUER, et al.**

SERIAL NO: New U.S. PCT Application based on PCT/FR03/01509

FILED: Herewith

**FOR:** DEVICE FOR CLOSING AN OPENING, PARTICULARLY A STREET MANHOLE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- No additional fee is required
  - Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
  - Additional documents filed herewith: Credit Card Payment Form for \$950.00/PCT Transmittal Letter/Application Data Sheet Preliminary Amendment (with cover sheet)/Notice of Priority English Translation of Specification/Drawings (6 Sheets)/Declaration Information Disclosure Statement/PTO-1449/Cited References (2) International Search Report

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	15	MINUS	20	0	x \$18 =	\$0.00
INDEPENDENT	1	MINUS	3	0	x \$88 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS		+ \$300 =		\$0.00
			TOTAL OF ABOVE CALCULATIONS			\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment		+ \$40 =		\$0.00
			TOTAL			\$0.00

- A check in the amount of \$0.00 is attached.
  - Credit card payment form is attached to cover the fees in the amount of \$0.00
  - Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
  - If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

**Gregory J. Maier**  
**Registration No. 25,599**

## Customer Number

22850

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(OSMMN 05/03)

**Surinder Sachar**  
**Registration No. 34,423**